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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,995	12/14/2001	Stefan Alfons Hepper	DE920000081US1	4982

7590 08/19/2005

David Aker  
23 Southern Road  
Hartsdale, NY 10530

EXAMINER
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LAZARO, DAVID R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

27  
Office Action Summary

Application No.

10/016,995

Applicant(s)

HEPPER ET AL.

Examiner

David Lazaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. In view of the Appeal Brief filed on 06/06/2005, **PROSECUTION IS HEREBY REOPENED**. A new ground of rejection is set forth below. To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31. A new notice of appeal fee and appeal brief fee will not be required for applicant to appeal from the new Office action. Any appeal brief filed on or after September 13, 2004 must comply with 37 CFR 41.37.

2. The examiner agrees with the arguments presented in the Appeal Brief, particularly with respect to Claims 6, 7 and 17 not being anticipated by or obvious over U.S. Patent Application Publication 20020133412 by Oliver et al. Furthermore, the examiner agrees the language of Claims 1 and 10 are not indefinite under 35 U.S.C. 112, as the language merely presents an alternative expression in which the scope of the alternative is not ambiguous.

3. Claims 1-17 are pending in this Office Action.

### ***Claim Objections***

4. Claim 7 is objected to because of the following informalities: The examiner suggest changing "the evaluation" to "the checking" to correspond with claim 6 (or vice versa in terms of changing "checking" in claim 6). Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,651,063 by Vorobiev (Vorobiev).

7. With respect to Claim 1, Vorobiev teaches a method for operating a computer system comprising:

having at least one content provider for providing content to a user (Col. 2 lines 57-59, Col. 3 lines 23-65, and Col. 6 lines 27-65) coupled via a portal which may also be coupled to a user (Col. 2 lines 55-56 and Col. 3 lines 23-65, and Col. 6 lines 27-65);

said at least one content provider offering a new content to the portal (Col. 3 lines 23-65, and Col. 6 lines 27-65);

the portal comparing credentials of said at least one content provider with stored credentials of registered content providers (Col. 10 lines 10-31); and

the portal accepting or rejecting at least a particular provider included in said at least one content provider based on said stored credentials (Col. 10 lines 10-31).

8. With respect to Claim 2, Vorobiev teaches all the limitations of Claim 1 and further teaches offering said credentials of said at least one content provider to the portal together with the new content (Col. 10 lines 10-31 and Col. 6 lines 27-65).
9. With respect to Claim 3, Vorobiev teaches all the limitations of Claim 1 and further teaches storing said credentials of the registered content providers in a database of the portal (Col. 10 lines 10-31).
10. With respect to Claim 4, Vorobiev teaches all the limitations of Claim 1 and further teaches performing automatically said comparison of the credentials with an intelligent program having a rule database (Col. 10 lines 10-31).
11. With respect to Claim 5, Vorobiev teaches all the limitations of Claim 1 and further teaches performing manually said comparison of the credentials (Col. 10 lines 10-31).
12. With respect to Claim 6, Vorobiev teaches all the limitations of Claim 1 and further teaches the portal checking the new content, and the portal accepting or rejecting the new content (Col. 4 lines 13-27 and Col. 7 line 62 - Col. 8 line 10).
13. With respect to Claim 7, Vorobiev teaches all the limitations of Claim 6 and further teaches the evaluation of the new content is performed semi-automatically or fully automatically (Col. 4 lines 13-27 and Col. 7 line 62 - Col. 8 line 10).
14. With respect to Claim 8, Vorobiev teaches all the limitations of Claim 6 and further teaches wherein the user is notified about the new content if the new content matches with preferences of the user (Col. 7 lines 27-40 and Col. 9 lines 28-60).

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15. With respect to Claim 9, Claim 9 is rejected based on the same logic presented in the rejection of Claim 1 and further noting Col. 2 lines 17-21 and Col. 20 lines 7-13.

16. With respect to Claim 10, Vorobiev teaches a computer system comprising at least one content provider for providing content to a user (Col. 2 lines 57-59, Col. 3 lines 23-65, and Col. 6 lines 27-65) which is coupled to a portal which may be coupled to a user (Col. 2 lines 57-59, Col. 3 lines 23-65, and Col. 6 lines 27-65) wherein said at least one content provider comprises means for offering a new content to the portal (Col. 3 lines 23-65, and Col. 6 lines 27-65), wherein the portal comprises means for comparing credentials of said at least one content provider with stored credentials of registered content providers (Col. 10 lines 10-31), and wherein the portal comprises means for accepting or rejecting said at least one content provider (Col. 10 lines 10-31).

17. With respect to Claim 11, Vorobiev teaches all the limitations of Claim 10 and further teaches the portal comprises a database for registered content provider credentials (Col. 10 lines 10-31).

18. With respect to Claim 12, Vorobiev teaches all the limitations of Claim 10 and further teaches wherein said at least one content providers, the portal and the user are coupled via the Internet (Col. 6 lines 21-26).

19. With respect to Claim 13, Claim 13 is rejected based on the same logic presented in the rejection of Claim 1 and further noting Col. 2 lines 17-21 and Col. 20 lines 7-13.

20. With respect to Claim 14, Claim 14 is rejected based on the same logic presented in the rejection of Claim 2 and further noting Col. 2 lines 17-21 and Col. 20 lines 7-13.

21. With respect to Claim 15, Claim 15 is rejected based on the same logic presented in the rejection of Claim 10 and further noting Col. 2 lines 17-21 and Col. 20 lines 7-13.

22. With respect to Claim 16, Claim 16 is rejected based on the same logic presented in the rejection of Claim 11 and further noting Col. 2 lines 17-21 and Col. 20 lines 7-13.

23. With respect to Claim 17, Vorobiev teaches all the limitations of Claim 10 and further teaches checking means for the portal to check the new content, and the portal accepting or rejecting the new content based on a determination of said checking means (Col. 4 lines 13-27 and Col. 7 line 62 - Col. 8 line 10).

### ***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

25. U.S. Patent 6,754,707 by Richards et al. "Secure computer support system" June 22, 2004. Discloses a support portal including a process for checking if a support provider is authorized to use the system.

26. U.S. Patent 6,516,349 by Lieberman "System for updating a set of instantiated content providers based on changes in content provider directory without interruption of

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a network information services" February 4, 2003. Discloses a portal based on a plug-in model for adding and removing content providers. Is silent on the particulars of adding/registering a new content provider.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro  
August 17, 2005

  
**BHARAT BAROT**  
**PRIMARY EXAMINER**